

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

ELIZABETH PEMPEK, on behalf of herself	)	
and all other persons similarly situated,	)	
known and unknown	)	
	)	
Plaintiff,	)	Case No.: 1:22-cv-04760
	)	
v.	)	Honorable Franklin U. Valderrama
	)	Magistrate Judge Jeffrey I. Cummings
	)	
HERCULES FORWARDING, INC., and	)	
MELANIE BURNHAM, individually,	)	
	)	
Defendants.	)	

**JOINT STATUS REPORT**

Plaintiff Elizabeth Pempek and Defendants Hercules Forwarding, Inc. (“Hercules Forwarding”) and Melanie Burnham (collectively, the “Parties”), submit the following Joint Status Report and state as follows:

1. On June 30, 2023, the Court entered an order granting the Parties until July 21, 2023, to file a Joint Motion for Approval of the Settlement or, alternatively, a Status Report “explaining the delay in settlement.” (Dkt. No. 33).
2. Later that day, on June 30, 2023, two additional opt-in Plaintiffs filed consents and joined the lawsuit. (Dkt. No. 34-1, Dkt. No. 34-2).
3. After further discussions, the Parties tentatively reached an agreement for how to include the additional two opt-in Plaintiffs in the settlement that was previously reached during the June 20, 2023 settlement conference.
4. The Parties, through a Joint Status Report, subsequently requested additional time, to August 4, 2023, to file a Joint Motion for Approval of the Settlement. (Dkt. No. 35).

5. On July 24, 2023, the Court entered an order directing the Parties to file a Joint Motion for Approval of the Settlement or a Status Report explaining the delay. (Dkt. No. 36).

6. Between July 24, 2023 and August 4, 2023, the Parties have worked diligently to finalize written settlement agreements for the Named Plaintiff and two opt-in Plaintiffs. On August 3, 2023, the Parties' counsel circulated proposed final written settlement agreements to their clients to review and approve. They have not yet received final approval on the written agreements from their clients. The Parties will require an additional week, to August 11, 2023, to get final client approval and to have the Parties signed the respective settlement agreements.

Dated: August 4, 2023

**ELIZABETH PEMPEK**

/s/ Ross M. Good (with consent)  
One of Plaintiff's Attorneys

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Respectfully Submitted,

**HERCULES FORWARDING, INC.  
AND MELANIE BURNHAM**

/s/ Jeffrey L. Rudd  
One of Defendants' Attorneys

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that on August 4, 2023, he caused a true and correct copy of the foregoing ***Joint Status Report*** to be submitted to the Court and electronically served upon all attorneys of record via email.

/s/ Jeffrey L. Rudd